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BY ECF

Honorable Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

May 3, 2024

Re: *Case 1:23-cv-07756-VEC Jones v. Lee & Low Books, Inc.*
Plaintiff's Counsel's Response to Court's Memo Endorsement

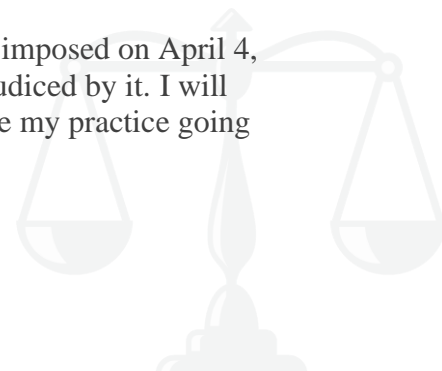
To the Honorable Judge Caproni:

Plaintiff's Counsel respectfully submits this letter in response to Your Honor's April 24, 2024 Memo Endorsement to show cause as to why I should not be sanctioned.

As the Court correctly pointed out, I failed to abide by Your Honor's Order dated April 4, 2024. There is no valid excuse for this. The deadline imposed by that Order was not inputted into my caseload's calendar and, thus, the deadline to file a letter with the Court was missed due to this oversight. Your Honor also accurately pointed out the history of admonishments and sanctions Your Honor has imposed against myself personally due to similar lapses in attention over the past four or so years. After each such instance, my office has indeed taken measures to attempt to correct the gaps that led to each error, and I have personally increased my diligence and attentiveness to my caseload as a whole. Over the last few years, I have hired a total of five employees to bolster the support my practice needs. It goes without saying that these measures should not have had to be in response to the Court's prompting and admonishment, but that reality remains.

As the Court is aware, my caseload is a large one. My firm's large caseload means receiving numerous court bounce-backs and orders on a daily basis. These orders are manually opened, read, and calendared regularly. Unfortunately, there are occasional instances where human error lead to the failure to calendar a specific deadline or directive. I personally strive to correct and avoid such instances on a daily basis. It is regrettable and embarrassing when these efforts sometimes still result in a missed deadline, which undoubtedly is frustrating to the Court and creates the need for the Court to pay extra attention to attorneys' diligence. This is not lost on me.

I urge the Court not to sanction me as a result of the missed deadline imposed on April 4, 2024. The error was fixed in short order, and neither Party proved to be prejudiced by it. I will continue to hire more staff, take account of my office's abilities, and improve my practice going forward.





Mars Khaimov Law, PLLC

I thank Your Honor for the attention and consideration herein.

Respectfully submitted,

/s/ Mars Khaimov
Attorneys for Plaintiff

Cc: all Counsel of record on ECF

